

UNITED STATES DISTRICT COURT
for the

Eastern District of North Carolina

Filed in OPEN COURT
on 6/27/2012
Richards, Clerk
District Court
District of NC

United States of America

v.

Rashad Deon Myers

)

)

)

Case No: 5:08-CR-57-1BO

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USM No: 51094-056

)

Date of Original Judgment: 07/29/2008

Date of Previous Amended Judgment:

)

Thomas P. McNamara

(Use Date of Last Amended Judgment if Any)

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 90 months is reduced to 18 months on Count 1 and 60 months on Count 2 to run consecutively, for a total sentence of 78 months. The previously imposed sentence was comprised of a term of 30 months on Count 1 and a term of 60 months on Count 2 to run consecutively.

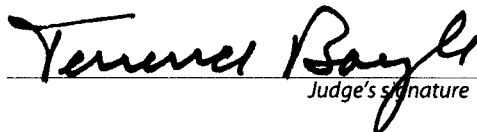
If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated July 29, 2008, shall remain in effect. **IT IS SO ORDERED.**

Order Date:

6-27-12



Judge's signature

Effective Date:

(if different from order date)

Terrence W. Boyle, U.S. District Judge

Printed name and title